



TOWN of BROOKLINE

Massachusetts

BOARD OF SELECTMEN

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MELVIN A. KLECKNER
Town Administrator

September 8, 2016

Catherine Racer, Associate Director
Department of Housing and Community Development
100 Cambridge Street
Suite 300
Boston, MA 02114

RE: Chapter 40B Comprehensive Permit: 384 Harvard Street, Brookline

Dear Ms. Racer:

Thank you for providing the Town of Brookline with the opportunity to submit its comments on an application for Site Approval submitted by Jewish Community Housing for the Elderly (JCHE) to construct 62 units of elderly housing at 384 Harvard Street in Brookline under G.L. Chapter 40B. We also appreciate your willingness to grant the Town an extension in order to provide the Board of Selectmen time to engage the public by conducting a public hearing on August 16, 2016.

The Town of Brookline supports the creation of affordable housing and is committed to responding to the acute need for elderly housing specifically. The Town has methodically moved to expand the supply of affordable housing while at the same time supporting the improvement of existing subsidized units. The Town has in fact invested significant resources to expand housing opportunities for vulnerable populations. Attached is a summary of recent efforts by the Town to retain, improve and expand the availability of affordable housing, together with a memorandum from Brookline's Housing Advisory Board. The Town has been successful in increasing the supply of affordable housing by supporting well-designed housing that is integrated into its environs, respects the context in which it is located, and is welcoming to the residents who occupy the units. We are pleased to work with JCHE, a mission-based housing

advocacy development entity with a long history of constructing and managing high quality, well-designed affordable housing for the elderly.

Overall, the site plan reflects JCHE's work with the neighborhood to develop a plan that accommodates the needs and concerns of abutters. That said, a number of abutters have expressed concerns about the project. We are confident that JCHE will continue to engage the neighborhood to address several outstanding issues.

While supportive of the project in general, the Board of Selectmen is concerned about the lack of sufficient parking to accommodate the needs of prospective residents, which includes parking not only for the residents themselves but for their caretakers, service providers and visitors. The Board is also very aware that additional effort is warranted to better address the relationship of the proposed development to the residents on Williams Street. The "wall effect" of the proposed building must be mitigated. Unlike Harvard Street, Williams Street is residential and therefore the façade facing existing homes must reflect the character of the neighborhood. Approaches could include, at a minimum, providing additional green space particularly along Williams Street, greater setbacks and improved articulation.

The Board of Selectmen is also concerned about the proposed creation of a drop-off area along Harvard Street. We recommend that the applicant explore approaches to accommodating deliveries within the site itself to avoid impacts on Harvard and/or Williams Streets as well as eliminating public parking spaces.

We also respectfully recommend that DHCD direct the Applicant to submit the following information prior to or as part of a Comprehensive Permit application to the Town's Board of Appeals:

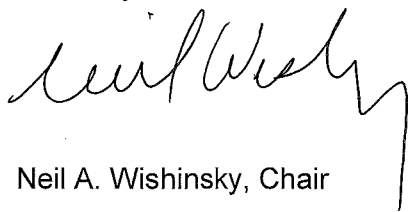
- A 3D model showing the proposed and abutting buildings
- A site plan showing abutting buildings with setbacks of the proposed building to its property lines and to abutting buildings
- A traffic and parking circulation study
- A physical indication on the lot of the building's footprint to illustrate its size and setbacks
- A comprehensive shadow study comparing and contrasting year-round shadows generated by both the existing and proposed development
- A stormwater and drainage report
- A waiver list in tabular form
- A preliminary Building Code analysis with respect to height and area compliance as well as exterior wall rating and openings.

The Board of Selectmen appreciates the willingness of JCHE to engage the neighborhood and strongly encourages it to continue to actively involve the public to identify and address their concerns as well as the specific issues raised herein by the Selectmen.

We look forward to working with JCHE to incorporate modifications into the project to improve its relationship to its environs while expanding the supply of affordable elderly housing.

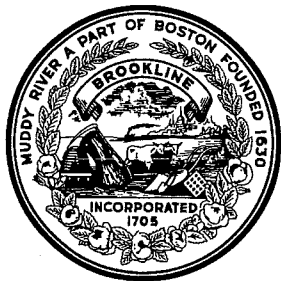
Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Neil A. Wishinsky". The signature is fluid and cursive, with a long, sweeping tail that extends downwards and to the right.

Neil A. Wishinsky, Chair

Attachments



Town of Brookline

Massachusetts

HOUSING ADVISORY BOARD

Roger F. Blood, Chair
Steven A. Heikin
Michael H. Jacobs
Karen J. Kepler
William Madsen Hardy
Rita McNally
Kathy A. Spiegelman

333 Washington Street
Brookline, MA 02445
(617) 730-2130
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To: Brookline Board of Selectmen

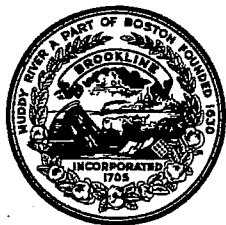
From: Roger Blood, Chair *RB*
Housing Advisory Board

Re: 384 Harvard Street
40B Proposal by Jewish Community Housing for the Elderly

Date: August 25, 2016

As chair of the Housing Advisory Board, I want to reiterate the board's support of this project, as expressed in our joint letter to Undersecretary Kornegay of June 29th (attached). This project will provide 100% permanently affordable senior housing – a need that has been consistently identified in Brookline over the past several years. This agency has a very strong history of providing quality housing and services for low- and moderate-income seniors and we look forward to working with JCHE on its successful completion.

Thank you.



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BOARD OF SELECTMEN

NEIL A. WISHINSKY, Chairman
NANCY A. DALY
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June 29, 2016

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MELVIN A. KLECKNER
Town Administrator

Chrystal Kornegay
Undersecretary
Massachusetts Department of Housing and Community Development
100 Cambridge Street, Suite 300
Boston, MA 02110

Dear Ms. Kornegay,

The Town of Brookline supports the Jewish Community Housing for the Elderly's (JCHE) plan for the new construction of 62 units of affordable rental housing for seniors at 384 Harvard Street in Brookline. The Town has a significant need for additional quality, affordable housing, including affordable rental housing for seniors. JCHE has actively solicited community feedback and input from the surrounding community in developing its plan for the site. The proposed project is right in the heart of Coolidge Corner and in an ideal location for affordable housing, given the site's access to public transportation, retail opportunities and services.

Over the past decade Brookline has experienced a 40% increase in the number of persons aged 55 to 64 years old and a 16% increase in the number of persons aged 65 to 74. Currently 23% of all Brookline households have at least one person aged 65+. With nearly 30% of all Brookline residents facing economic insecurity, according to the Brookline Community Foundation's recent report "Understanding Brookline", the poverty rates for persons 75+ living in Brookline have doubled since 2000 to over 17%.

At the same time, Brookline, like many other communities in Greater Boston over the past several years, has experienced a tremendous increase in housing costs. Currently 18% of all Brookline households pay more than 50% of their incomes towards housing costs. Low and moderate income households (those earning less than 80% of area median income) are affected even more significantly, with over half of those households paying more than 50% of their incomes towards rent.

In 2015, the Town's Housing Division conducted a Housing Needs Assessment for its Consolidated Plan FY2016-FY2020. In reviewing the waiting lists for affordable senior housing serving Town residents, the Division noted the following:

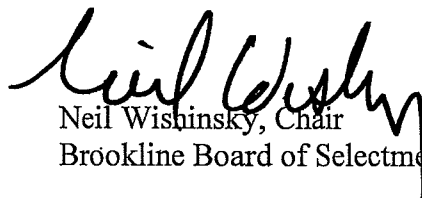
- Senior Public Housing (BHA) has wait lists of 12-18 months for priority cases which include seniors being evicted or facing homelessness or severe rent burdens.
- Center Communities of Brookline (Hebrew Senior Life) has wait lists of 2-4 years for affordable units in their mixed income developments at 100 Centre Street and 1550 Beacon Street. These wait times are lengthening as residents age in place. Wait lists at 112 Centre, which serves very low-income seniors, are even longer at 10+ years.
- JCHE's projects in Brighton, just over the Brookline border, currently have 50+ Brookline households on its wait list. Wait times are 2-3 years and the wait list for Genesis House is closed, as it is greater than 5 years.)

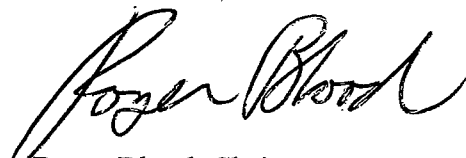
There has also been an increasing need for financial relief among low-income Brookline seniors; as an example, the Brookline Community Foundation's Safety Net program currently provides assistance to Brookline families for rent, utilities and other expenses, of which 30% are senior citizens (age 65 plus).

It is our understanding that as the 384 Harvard Street project moves forward, JCHE will be requesting both local comments in support of a project eligibility letter and funding support from the Town of Brookline. The Town will be happy to consider JCHE's request once a formal application is submitted.

We look forward to working with JCHE and DHCD on this important project.

Sincerely,


Neil Wishinsky, Chair
Brookline Board of Selectmen


Roger Blood, Chair
Brookline Housing Advisory Board

cc. Rebecca Frawley, Massachusetts Department of Housing and Community Development
Amy Schectman, Jewish Community Housing for the Elderly

TOWN OF BROOKLINE

PREVIOUS MUNICIPAL ACTIONS TO MEET AFFORDABLE HOUSING NEEDS

The Department of Housing and Community Development's regulations for Comprehensive Permits under Chapter 40B direct that the Subsidizing Agency "tak[e] into consideration information . . . regarding municipal actions previously taken to meet affordable housing needs such as inclusionary zoning, [and] multi-family districts adopted under M.G.L. Chapter 40A...." Brookline has a robust commitment to multi-family and affordable housing, which is evident in its zoning by-laws and its funding and other support of affordable housing.

A. Multi-Family Housing in Brookline.

Brookline has nineteen (19) zoning districts that permit multi-family housing (more than a two-family structure) covering approximately 18% of the Town's land area. The impact of the Town's zoning is clear—approximately 20,360 units, or 77% of the Town's housing units, are in multi-family buildings. Approximately half of Brookline households rent their homes. Of these renters, approximately 50% pay less than 30% of household income for gross rent. This rate is comparable to that of the entire Boston – Quincy – Cambridge Metropolitan Statistical Area and the state average.

B. Affordable Housing in Brookline.

Brookline has a longstanding commitment to affordable housing and has often been cited by state officials as an exemplar community for creating and preserving opportunities for affordable and multi-family housing that address the goals of Chapter 40B. As of February, 2016, 2,410 of the Town's 26,201 year-round dwelling units (US Census, 2010), or 9.2%, qualified for the Subsidized Housing Inventory, as well as an additional 73 occupied affordable units serving households with incomes between 80% and 110% of area-median income. The current 40B-eligible units include 923 units owned and operated by the Brookline Housing Authority; 405 rental units owned by private investors; 769 rental units owned or controlled by non-profit organizations; 225 rental units permitted and/or in construction by 40B developers, and 88 owner-occupied homeownership units. Of the Chapter 40B-eligible units, a significant portion contains three or more bedrooms.

The Town has expended substantial municipal resources in support of all of its affordable housing programs and initiatives, facilitating the development and preservation of affordable housing, as more fully discussed below. Since 1992, the Town has spent more than \$20 million of Town appropriations, Housing Trust Funds, and Town controlled resources to support affordable housing. This is in addition to the more than \$10 million (\$9.7 million on operations and \$1.1 million on property modernization) expended annually by the Brookline Housing Authority. In 1987, the Town established an Affordable Housing Trust Fund, under the control of the Housing Advisory Board and the Board of Selectmen.

The Town has regularly directed a portion of the Town's Free Cash to the Trust Fund under circumstances where the unreserved Fund balance is less than \$5 million, in order to ensure that significant resources are available without need for Town Meeting action whenever opportunities to support affordable housing projects arise. In accordance with this policy, the Town deposited \$163,078 into the Trust Fund in FY2015.

In 2005, the Town completed a multi-year comprehensive planning process, which reaffirmed affordable housing as one of the Town's most important long-affordability, consistent with Chapter 40B, and an annual goal of 25 new affordable units per year through conversion or new construction. The Town has adhered to its commitment in both the creation of new affordable housing and the preservation of affordability in "expiring use buildings." Since 2002, the Town has added 257 new affordable units.

C. Brookline's Affordable Housing Policies, Programs and Initiatives.

Under the direction of the Town's Housing Advisory Board, which provides advice and recommendations on the Town's affordable housing policies and initiatives, and the Housing Division of the Town's Department of Planning and Community Development, staffed by two (2) housing professionals who are responsible for implementing housing policy, the Town has employed a multi-faceted approach to increasing and preserving the Town's affordable housing stock. As discussed below, the Town uses virtually all possible opportunities and strategies to accomplish its goals, including regulatory incentives such as inclusionary zoning policies; financial and technical assistance to non- and for-profit property owners and developers to preserve existing affordable units and create additional affordable units through conversion and new construction; tax incentives; the utilization of Chapter 40B in Town-supported affordable housing developments; and technical and financial assistance to those seeking to purchase, rent and rehabilitate affordable homes in Brookline.

1. Inclusionary Zoning.

The Town has significantly increased the number of affordable housing units in mixed-income developments through the Town's inclusionary zoning provisions set forth in Section 4.08 of the Town's zoning by-law. Adopted in 1987 and revised several times since then, these provisions require developers of residential projects with 6 or more units to offer at least 15% of the units to households with incomes under 100% of area median income. At least two-thirds of these units must meet Chapter 40B requirements, that is, serve households with incomes under 80% of area median income. In lieu of providing on-site units, developers of projects with 15 or fewer units may choose to make a cash payment to the Town's Housing Trust in accordance with a specific schedule. This cash payment is based upon a percent of the sales price of each unit minus \$125,000 (the imputed price of an affordable unit). The percent charged ranges from 3%

for a 6-unit project to 9.75% for a 15-unit project, encouraging developers at the higher end to provide on-site units.

Between 1996 and the present, these inclusionary zoning provisions have directly produced 104 affordable rental and condominium units (the majority of which serve households with incomes under 80% AMI) in 22 properties. In addition, the zoning by-law has resulted in \$6.4 million in contributions to the Town's Housing Trust Fund. This source, along with \$4.1 million in Town appropriations and \$1.4 million in investment income, has resulted in total revenues of over \$12 million to the Housing Trust since its inception in 1987. Housing Trust allocations have already leveraged much greater amounts of State, federal and private funding for Brookline projects.

Examples of projects developed under the Town's inclusionary zoning program include:

Goddard House, a 115-unit development, providing 17 below-market, assisted-living units to low- and moderate-income seniors;

Longwood Towers, the addition of 26 units to an existing rental complex, resulting in 2 new on-site affordable units and 4 affordable units in an existing building off-site;

Kendall Crescent, a 35-unit development combining preservation of a former public school and new construction, and providing 5 affordable condominium units, including one fully accessible unit;

Cypress Lofts, a newly constructed 45-unit condominium in which the Applicant retained 5 units for low-income renters.

Park Place Condominium, a newly constructed 9-unit condominium with 2 affordable units;

The Hammondswood, a newly constructed 59-unit condominium, providing 9 affordable units; and

The Parkway, a newly constructed 16-unit condominium, with 2 affordable units.

2. New Affordable Housing Development.

Brookline has provided financial support and assistance to developers of new affordable housing, including projects on private properties, as well as Town and other publicly-owned properties. These Town-funded

developments went through an extensive planning process, resulting in designs compatible with the surrounding neighborhoods as more particularly described below.

The Olmsted Hill project, completed in 2012, is located on a 4.8 acre former Town-owned reservoir site in the single-family neighborhood of Fisher Hill. After several years of community planning and developer selection, the Town partnered with New Atlantic Development Corporation, which dismantled and filled two underground reservoirs, created a subdivision, sold 10 market-rate, single-family lots, and developed an affordable condominium complex. This project contains 24 affordable two and three bedroom units in three buildings, including 12 units that will serve families with incomes up to 80% of AMI and 12 units that will serve families with incomes up to 100% of AMI. The 2 ½ -story and 3-story multi-family buildings are designed to harmonize with the surrounding single family neighborhood by resembling a large estate home and carriage house. Permanent subsidy provided by the Town for the affordable units includes \$1,273,982 in HOME funds, as well as \$820,605 from Brookline's Housing Trust, \$2,326,600 in revenue from the sale of the lots and a discount to the developer by the Town on the value of the land. All 24 units were sold with long-term deed restrictions.

In 1999, the Town began working with the Archdiocese of Boston Planning Office for Urban Affairs (POUA) to develop St. Aidan's Church as a "friendly 40B" development. POUA submitted an application to the Board of Appeals that conformed to development principles and guidelines established by community process. The 59-unit development was completed in 2009, and includes 36 affordable units (20 low-income rental and 16 homeownership units); preservation of the church building through adaptive reuse; and conservation of open space and specimen trees. The 3-to 5-story buildings are organized around common green space designed for passive and active recreation. The Town's contribution of \$6.1 million in Housing Trust, HOME and CDBG monies leveraged \$5 million in gap funding from the state and \$4.5 million from private investors under the federal Low Income Housing Tax Credit program. This project was identified by Housing and Community Development Undersecretary Aaron Gornstein during his introductory remarks at the September 28, 2012 conference on Chapter 40B, co-sponsored by DHCD and CHAPA, among others.

Most recently, the Town supported the Brookline Housing Authority in its first venture as a developer of privately owned affordable housing. The Town provided \$4.3 million towards the development of a 32-unit Low Income Housing Tax Credit project, constructed on an existing under-utilized parking lot serving the BHA's Trustman Apartments. The project was completed in December of 2015 and is now fully occupied.

3. Renovation of Existing Affordable Housing Units

The Town supports the preservation of existing affordable housing by providing funding for capital improvements. The Town regularly funds improvements at Brookline Housing Authority developments, to which it has contributed over \$2.3 million. It also has assisted various residences serving individuals with special needs, including a total of \$363,000 to Humanity House, a home for 10 developmentally disabled individuals, and \$614,000 to a Pine Street Inn project in Brookline, a lodging house at 1043-1045 Beacon Street which serves 28 low-income individuals. Federal AARA dollars were allocated by the Town for energy-saving improvements to several properties controlled by nonprofits, including properties under the umbrella of Specialized Housing, Inc., which serves disabled adults at several locations in Brookline. The Town and the BHA have proven their commitment to modernizing and improving the Town's existing affordable housing stock.

4. Redevelopment of Existing Market Rate Housing.

Brookline has provided extensive financial and technical assistance to property owners and for-profit and non-profit entities proposing to redevelop existing market rate housing into affordable housing units.

Currently the Town is working with the Pine Street Inn to rehabilitate two lodging houses at 51-53 and 55-57 Beals Street. These long term lodging houses were managed by Pine Street under a lease with the owners since 2004. Pine Street Inn was able to purchase the property in 2014 with over \$1.9 million in Housing Trust, HOME and CDBG funds from the Town. The buildings are being redeveloped into thirty-one "enhanced" single room occupancy (SRO) units including small bathrooms and mini-kitchenettes.

In 2001, the Town financed the purchase of a dilapidated lodging house at 1754 Beacon Street by the non-profit Brookline Improvement Coalition, Inc. (BIC), the Town's Community Housing Development Organization, and assisted BIC in the selection of a non-profit developer to rehabilitate, own and manage the lodging house. Pine Street Inn, the successful applicant, used the Town's investment of over \$907,000 in HOME monies to leverage an additional \$1.6 million commitment from three state sources for the rehabilitation of this historic building. The 14 rooms and efficiencies, permanently affordable for income-eligible persons, were occupied in the fall of 2003. The project has been both nationally recognized for innovative use of HOME funds and by the Massachusetts Historic Commission as an exemplary preservation project.

During the summer of 2002, the Housing Division staff learned of another deteriorated lodging house on the market at 1876 Beacon Street. After several affordable lodging house operators viewed the property, the Town agreed to support Caritas Communities, Inc., in acquiring the building. At the same time, the developer of Longyear Estates was seeking property to satisfy its off-site affordable housing obligation under the inclusionary provisions of the Town's zoning by-law. By partnering Caritas with Longyear and supporting Caritas in advocating for additional funding from state agencies, the Town was able to assure that Caritas received the \$1.1 million in gap funding required to complete the acquisition, rehabilitation and long-term affordability of another 15 S.R.O. units for lower-income individuals.

At the end of 2003, the Town was notified of the sale of a 6-family building at 154-156 Boylston Street. BIC purchased and completed the rehabilitation and occupancy of this building in 2005 with \$593,000 in Town-controlled CDBG funds, leveraging about \$500,000 in gap funding from the Massachusetts Housing Partnership.

5. Preservation of Affordability in Expiring Use and Other Projects.

Brookline also has actively sought to preserve affordability in its existing housing stock. One strategy has been to extend affordability at the Town's "expiring use" properties.

For example, in 2001, the Town assisted the Hebrew Rehabilitation Center for the Aged (Hebrew Rehab) in connection with its acquisition and rehabilitation of the senior housing at 100 and 112 Centre Street and 1550 Beacon Street, three such "expiring use" properties. The Town's commitment of \$1 million in Housing Trust funds and an agreement to terminate the projects' 121A tax agreements gave this non-profit the competitive edge needed to purchase the properties. At that time, only about 280 of 516 units were still affordable, with a potential loss of another 160 affordable units when restrictions expired in 10 to 15 years. As a result of the Town's commitment, Hebrew Rehab acquired and modernized the properties, and is operating them under the name of Center Communities of Brookline, with at least 60% (338) units preserved as affordable for an additional 40 years.

In 2004, the Town modified its 121A tax agreement with the owner of the subsidized project at 1371 Beacon Street, resulting in the extension of the affordability of the project's 30 units until 2028. The Town also negotiated with the Board of the 116-unit Brookline Cooperative, preserving 32 units as affordable condominium units, when the Co-op converted upon the expiration of the original HUD mortgage guarantee.

In 2015, Winn Development sought to pre-pay its federally-subsidized mortgage in order to take advantage of HUD's Rental Assistance Demonstration Program, which provides better protection for existing low-income tenants. The Town negotiated with Winn to increase the number of units that will remain affordable for the next thirty years. The Town also hopes to work with the owner to preserve the 116-unit senior building on the property as permanently affordable with additional state and Town-controlled resources.

6. Other Affordable Housing Activities and Funding.

The Town actively supports affordable homeownership in several ways. It operated a first-time homebuyer down payment assistance program from 1992 until 2010. With assistance increasing over the years from a maximum of \$25,000 to a maximum of \$175,000 per buyer, the program provided over \$5 million in HOME and CDBG funds, with some of this total reflecting the recycling of loan payoffs upon resale. Since all new units are sold subject to permanent deed restrictions, the Town regularly exercises its right of first refusal by identifying eligible buyers and holding a lottery upon all unit resales.

In short, unlike many communities in the Commonwealth, Brookline's efforts to create, promote and preserve multi-family and affordable housing have been long-standing, committed, comprehensive and effective. Brookline has committed significant Town resources to these efforts and has made measurable progress in creating and preserving affordable housing. Affordable housing that has been created in the Town is subject to permanent affordability restrictions. Through its own efforts and close cooperation with private developers, Brookline has demonstrated that affordable housing does not need to be incompatible with sound planning objectives, environmental concerns or its surrounding community.